

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PLAINTIFF'S CORRECTED DESIGNATION OF TRIAL WITNESSES

Pursuant to the Scheduling Order (DE #14), Plaintiff hereby designates to Defendants the persons who may be called as witnesses at time of trial.

Will Call

1. Eric Albritton
2. Michelle L. Albritton
3. Mr. Peter McAndrews
4. Ms. Amie Mathis
5. Samuel Baxter
6. T. John Ward, Jr.
7. David J. Maland

May Call

8. Shelly Moore
9. John A. Albritton
10. Marta Beckwith
11. Mark Chandler
12. Bart Showalter
13. Kurt Pankratz
14. Steve Schortgen
15. Kevin Meek
16. Michael Smith
17. Richard Frenkel
18. Mallun Yen

19. John Noh
20. David Provines
21. Rhonda Lafitte
22. Peggy Thompson
23. Jillian Powell
24. Elizabeth DeRieux
25. Robert M. Parker
26. Danny Williams
27. Louis Brucculeri
28. Otis Carroll
29. Scott E. Stevens
30. Faye Thompson
31. Rachel Wilson
32. Cynthia Parr
33. Doug Kubehl
34. Dr. Charles Silver

Plaintiff reserves the right to call any witness identified by Defendants.

Respectfully submitted,

/s/ Nicholas H. Patton

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 23rd day of December, 2008.

/s/ Nicholas H. Patton

Nicholas H. Patton